

REMARKS

Claims 23, 24, 28-35 and 40-60 are now pending in this application. By this Amendment, claim 27 is canceled; claims 23, 28-30 and 32-35 are amended; and claims 40-60 are added.

The courtesies extended to Applicant's representative by Examiner Falk at the interview held January 11, 2005, are appreciated. In the interview, it was agreed that, in addition to the claims noted in the Office Action, that is, claims 27-29, 34 and 35, claims 30 and 33 are allowable. In particular, it was agreed that the applied references do not teach or suggest regulating cardiac arrhythmia, as recited in claim 33. In addition, it is noted that claim 30 depends from claim 29, which is indicated in the Office Action to be allowable. Applicant's further separate record of the substance of the interview is incorporated into the following remarks.

Claim 32 is rejected under 35 U.S.C. §112, first paragraph, for allegedly including new matter. Claim 32 is amended herein to delete the alleged new matter. Therefore, the rejection should be withdrawn.

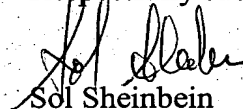
Claims 23, 24 and 31-33 are rejected under 35 U.S.C. §103 over Koh et al. (1995) in view of Hoppe et al. (1999). As argued in the interview, there would have been no motivation to combine these references so as to render claim 23 obvious. In the interview, the Examiner agreed that "[s]uch arguments appear to aid in overcoming the rejection." However, in an effort to expedite allowance, claim 23 is amended herein to incorporate the features of allowable claim 27. Therefore, the rejection should be withdrawn.

In addition to claim 27, which is incorporated into claim 23 herein, claims 28-30 and 33-35 have been indicated to be allowable, either in the Office Action or in the interview. Claims 28, 29 and 33-35 are made independent herein. Thus, it is respectfully submitted that claims 28-30 and 33-35 are clearly in condition for allowance.

Claims 40-60 have been added to further define the invention. These claims each depend from an allowable claim and are therefore allowable for at least the reasons discussed above.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 23, 24, 28-35 and 40-60 are earnestly solicited.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Sol Sheinbein', is written over the printed name.

Sol Sheinbein

Registration No. 25,457

Date: January 27, 2005